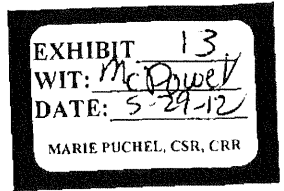
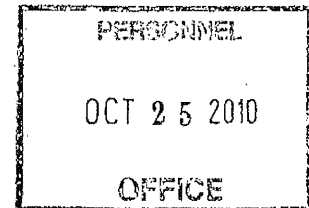


EXHIBIT 11



Memo

To: Johnson McDowell
From: Aaron Moran, Principal of Howell High School
Sandra Moore, Deputy Superintendent of Instructional Services
Date: October 25, 2010
Re: Written Reprimand



On Friday, October 22, 2010, your due process hearing was held in the Superintendent's Conference Room of the HPS Administration Office. At that time we heard your responses to alleged violations of the Howell Board of Education School Board Policy, as well as alleged violations of students' First Amendment Rights, said to have occurred on Wednesday, October 20, 2010. The explanations you offered for your conduct did not mitigate or change the fact that you have violated aspects of each. These violations created adverse reactions, were not in the best interest of your students, and will not be tolerated.

I. Violation of deviation of teaching the HPS Curriculum

The District has provided a Scope and Sequence of Essential Skills for social studies with an expectation teachers will deliver such in each of their classes. Whereas you state you taught Standard 7 of the Economics curriculum, you also state you were prepared to show a video on a social issue that has no connection to Economics, and in fact, showed this video in your other two classes that day (World Religions and Economics). You also said you deviated from your curriculum in response to a student's inquiry, which you believe you were trained and encouraged to do. That inquiry was made in reference to a t-shirt you purposefully wore and which you state repeatedly (in each of your three classes) invited a discussion on a controversial social issue. Rather than address the issue in brevity, you chose to show a video and embrace that inquiry as a substitute, in part, for your 55 minute Economic lesson.

II. Violation of Board Policy: Snap Suspension and Controversial Issues

In reference to School Board Policy 5610: *Emergency Removal, Suspension and Expulsion of Nondisabled Students*, you failed to notify and hold a parent-teacher conference with the parent(s) of one of the students you suspended from your class. In addition, you disciplined two students for holding and stating personal beliefs, to which you disagree. You disciplined them in anger under the guise of *harassment* and *bullying* because you opposed their religious belief and were offended by it. The students were causing no disruption to the educational process. In doing so, you violated the Snap Suspension policy.

In reference to School Board Policy 2240: *Controversial Issues*, you purposefully initiated a controversial issue by the wearing of your t-shirt. You indicate your t-shirt caused students in each of your three classes to inquire as to its meaning and significance. So whereas you indicate

students initiated the controversial issue, your t-shirt, in fact, prompted it. Once the issue arose, you chose to facilitate and encourage it. In doing so, you engaged in actions meant to persuade the student that his words and beliefs were wrong. In addition, your words and behaviors, which ultimately resulted in disciplining two students, directly discouraged open-mindedness or a spirit of scholarly inquiry among your class.

III. Violation of First Amendment Rights

Students' First Amendment Rights were violated when you directed a student to remove a belt buckle you found offensive. You did this publically, in front of her peers, with no recognition of the potential embarrassment that might result. You state the buckle was a disruption to you, personally, but that it caused no specific material and substantial disruption to the educational process. You also state you routinely do not allow this expression in your classroom because it offends you, and you personally connect this symbol to a list of oppressions and atrocities. You do, however, allow the display of the rainbow flag, to which some of your students have voiced opposition.

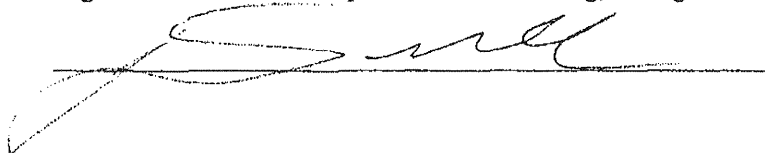
You went on to discipline two students who told you they do not accept gays due to their religion. After a failure of getting one student to recant, you engaged in an unsupported snap suspension, rather than allow the student his beliefs. You not only missed an opportunity to model a mature and professional response, you modeled oppression and intolerance of student opinion. You did this based on your own discomfort with their belief and how it related to a personal experience. This could be construed as teacher-to-student bullying; ironic of the Anti-Bullying Day intent. Your demonstration of intolerance stands in contra-distinction of the anti-bullying message of the day.

As a result of your behaviors, you will receive a one day suspension without pay, a written reprimand will be placed in your personnel file, and you are mandated to engage in training on First Amendment Rights. Such training will be arranged by the administration and scheduled during your work day. Further, you are directed to:

1. Strictly adhere to teaching the Howell Public Schools curriculum
2. Cease from engaging in the promotion of your personal social issues
3. Cease engaging in the baiting of students over controversial issues
4. Where controversial issues arise, be sure all sides of the controversial issue be explored without emotion and bias.
5. Adhere to all HPS School Board Policies, Standards, Practices and Guidelines
6. Protect all students' Constitutional Rights
7. Treat all students, parents and staff with respect

Violating any of the aforementioned directives may be a cause for separate disciplinary action, up to and including discharge.

Signature indicates receipt and understanding, not agreement.

 Dated: 10/25/10